

FIFTEENTH DAY

(Wednesday, April 7, 1954)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Senate Resolution 71

Senator Willis offered the following resolution:

Whereas, The Texas Safety Association has made a First Place Award to the cities of Fort Worth and Dallas, Texas, and

Whereas, This award was in connection with the work of the Fort Worth Safety Council in Public Education, Engineering, Enforcement, Court System, and Reduction of Accident Record, and

Whereas, The Fort Worth Safety Council was commended for reducing the accident record in Tarrant County which was responsible for a corresponding reduction in loss of life, physical suffering and loss of property damage, and

Whereas, The Fort Worth Safety Council through its personnel, has been working night and day and holding meetings, disseminating literature, issuing accident prevention data,

and, in general, calling attention to the public of its responsibility and interest in accident prevention, and

Whereas, The Fort Worth Safety Council, in conjunction with the Fort Worth Star-Telegram, was responsible for and sponsored the Green Cross for Safety Program which was a project adopted by the President's White House Conference, and

Whereas, The Green Cross for Safety Program started something new in accident prevention in that car owners as participants signed a pledge for safety before being allowed to place a Green Cross sticker on their automobile, and

Whereas, The Senate of the State of Texas wishes to commend the Fort Worth Safety Council for its untiring efforts and actual accomplishments in the prevention and reduction of accidents in related fields; now, therefore, be it

Resolved, By the Senate, that the Senate of the State of Texas officially commend the Fort Worth Safety Council for its outstanding work as contained herein and that copies of this resolution be mailed to Fort Worth Safety Council at its offices in the Majestic Building, Fort Worth, Texas.

The resolution was read and was adopted.

Senate Resolution 72

Senator Moffett offered the following resolution:

Whereas, Mr. George Humphrey, former Sheriff and Tax Assessor-Collector of King County, and Mr. Hubert Watson, County Attorney of King County, are visitors in the Capital City today, and

Whereas, These prominent and estimable citizens of West Texas are deeply interested in the processes of orderly government within this State; now, therefore, be it

Resolved, That they be welcomed to our Capital City and be extended the courtesies of the floor for the day.

The resolution was read and was adopted.

Senate Resolution 73

Senator Bracewell offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the Civics Class from Spring Branch High School with their teacher, Mr. J. H. Lynch; and

Whereas, These visitors are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of Texas students is here to observe and to learn at firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests, and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Bracewell presented the students and Mr. Lynch to the Members of the Senate.

Senate Resolution 74

Senator Bracewell offered the following resolution:

Whereas, The Key Clubs of Milby High School and Stephen F. Austin High School in the City of Houston, Harris County, Texas, are visiting in the Senate today; and,

Whereas, These young men are on an educational tour of the State Capitol accompanied by Mr. James Goettee, Principal of Stephen F. Austin High School and Mr. J. M. Blackwell, Sponsor of the Key Club at Austin High School, as well as Mr. Harold Sexton and Mr. Harry Davis of the Kiwanis Club of Eastern Houston.

Whereas, Both of these Key Clubs are composed of outstanding young men in their respective high schools who are interested in learning more of their government in order to better equip themselves for future citizenship; and, now, therefore, be it

Resolved, By the Senate of the State of Texas, that this body acknowledge the presence of the Key Club of Milby High School and the Key Club of Stephen F. Austin High School in the City of Houston, and welcome these young men, together with their sponsors, as guests of the Senate today.

The resolution was read and was adopted.

Senator Bracewell presented the members of the Key Clubs and their sponsors to the Members of the Senate.

Senate Resolution 75

Senator Moore offered the following resolution:

Whereas, We are honored today to have in the gallery the Texas History Class of the A. & M. Consolidated School accompanied by their principal, Mr. J. J. Skrivanek, Jr.; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; now, therefore, be it

Resolved, That these individuals be officially welcomed and recognized by the Senate, and that they be extended the courtesies of the floor for the day.

The resolution was read and was adopted.

Senator Moore presented the students and Mr. Skrivanek to the Members of the Senate.

Senate Resolution 76

Senator Parkhouse offered the following resolution:

Whereas, Colonel Albert C. Prendergast, deceased, has brought honor to the State of Texas and the Texas Air National Guard through his outstanding personal leadership of the 136th Fighter Bomber Wing, Texas Air National Guard, in action overseas, and finally, by his supreme sacrifice; and

Whereas, Colonel Prendergast is remembered as the son of one of Dallas' oldest families, and because of his professional and organizational ability directed a large Dallas insurance business and concurrently commanded the 136th Fighter Bomber Wing; and

Whereas, Colonel Prendergast's military ingenuity and ability were demonstrated during World War II at which time he became a singularly effective B-29 Training Group Commander, training countless combat crews; and

Whereas, This noble Texan's long history of military success continued after said War, in that Colonel Prendergast played an important part

in the reorganization of the Texas Air National Guard in 1946-1947, unswerving in his interpretation of a citizen's duty to his country, and building this civilian organization into a hard-hitting combat force whose esprit de corps and effectiveness were second to none; and

Whereas, Upon the mobilization of the Guard shortly after the beginning of the Korean conflict, he insisted that his citizens not be used as replacements to fill out regular Air Force units, but demanded his Texas organization be given an opportunity to fight as a unit; and

Whereas, This outstanding Texas Guardsman through his leadership and ability so impressed Tactical Air Command that he was one of the two Air Reserve Unit Commanders who were not removed from command and replaced by career Air Force officers; and

Whereas, Colonel Prendergast's Wing became the First Air National Guard Wing in history to go into combat intact; and

Whereas, Through the culmination of his many effective efforts, his Texas Wing established an outstanding record of combat hours flown and destruction dealt to the Communist aggressor duplicated by no other U. S. A. F. unit in the Korean War; and

Whereas, On his last flight he led a dangerous weather mission in Jet Aircraft and upon returning to base, to assure himself that all his pilots had landed safely, he remained aloft dangerously long, thus sacrificed, perhaps knowingly, his last few minutes of precious fuel, resulting in his death; and

Whereas, This former citizen-soldier of the Texas Air National Guard typified, by his character, his intelligence, his personality, his success, a genuine example of a great Texas Military figure and has brought great honor to the Texas Military Forces; now, therefore, be it

Resolved, By the Senate of the 53rd Texas Legislature at its First Called Session, that the oil portrait of Colonel Prendergast offered to the State of Texas by members of the 136th Fighter Bomber Wing, Texas Air National Guard, be hung in the Senate Chamber of the State of Texas with other outstanding Texas heroes; and be it further

Resolved, That a copy of this resolution be sent to each unit of the Texas Air National Guard and to Wing Headquarters, 136th Fighter Bomber Wing, Texas Air National Guard, to be presented by said Wing to the members of his family as a token of our appreciation of the honor that he has bestowed on the citizen soldiery of Texas; and, be it further

Resolved, That the time of acceptance of this portrait be set for 11:50 o'clock a. m., Monday, April 12, 1954.

PARKHOUSE

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Ashley, Bell, Bracewell, Colson, Corbin, Fuller, Harde-man, Hazlewood, Kazen, Kelley, Lane, Latimer, Lock, Martin, McDonald, Moffett, Moore, Phillips, Rogers of Travis, Rogers of Childress, Russell, Rutherford, Sadler, Secrest, Shireman, Strauss, Wagonseller, Weinert, Willis.

The resolution was read.

On motion of Senator Kelley, the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was then adopted.

House Concurrent Resolution 10 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 10, Congratulating Johnson County on its 100th birthday celebration.

The resolution was read second time.

On motion of Senator Martin, and by unanimous consent, the resolution was considered immediately and was adopted.

Resolutions Signed

The President signed, in the presence of the Senate, after the captions had been read, the following enrolled resolutions:

S. C. R. No. 9, Congratulating the citizens of Navasota on One Hundredth Anniversary.

S. C. R. No. 10, Congratulating citizens of Nacogdoches on One

Hundred and Seventy-fifth Anniversary.

H. C. R. No. 24, Congratulating the citizens of Erath County on the occasion of their one hundredth anniversary celebration.

H. C. R. No. 25, Relating to the Coryell County Centennial Celebration.

House Bill 15 on Third Reading

The President laid before the Senate on its third reading and final passage the following bill:

H. B. No. 15, A bill to be entitled "An Act levying certain taxes for the support of State government; amending Section III of Chapter 402, Acts, Regular Session, Fifty-second Legislature levying a tax on the business or occupation of the producing of gas within this State; repealing Section XI of Chapter 402, Acts, Regular Session, Fifty-second Legislature, being codified as Subdivision 46 of Article 7047, Vernon's Annotated Civil Statutes of Texas with certain specified conditions thereto; levying increased franchise taxes on corporations; amending Section 1 of Article VIII of House Bill No. 8 of the Forty-seventh Legislature as amended, being codified as Article 7084, Vernon's Civil Statutes, so as to levy such increase; providing an effective date for such increased franchise taxes; providing for time and amount of payments of such increase in such franchise taxes as to the fiscal year May 1, 1954, to May 1, 1955; levying an increased tax on beer manufactured in Texas and on all beer imported into Texas; amending Section XX of Chapter 402, Acts, Regular Session, Fifty-second Legislature, which amends Section 23 of the Texas Liquor Control Act, as amended, codified as Article 667-23, Vernon's Penal Code of Texas, so as to levy such increase on the manufacture or importation of beer; etc., and declaring an emergency."

The bill was read third time.

Senator Aikin offered the following amendment to the bill:

Amend Article 4 of House Bill No. 15 as amended by inserting immediately after the words "Texas Liquor Control Act, as amended,"

the words

"Codified as Article 667-23, Vernon's Texas Penal Code."

The amendment was adopted by the following vote:

Yeas—30

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis
Moffett	

Absent

Fuller

Senator Aikin offered the following amendment to the bill:

Amend Article 1 of House Bill No. 15 as amended by striking out all sections in such Article dealing with the effective date of such Article 1 and inserting in lieu thereof a new section numbered Section 3 and reading as follows:

"Section 3. The provisions of this Article shall become effective on the first day of September, 1954."

The amendment was adopted by the following vote:

Yeas—30

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis
Moffett	

Absent

Fuller

Senator Aikin offered the following amendment to the bill:

Amend Article 1 of House Bill No. 15 as amended by adding to Section 1 thereof immediately after the words, "Chapter 269 of Acts, Forty-ninth Legislature,"

the words

"As amended"

The amendment was adopted by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

House Bill No. 15 was finally passed, as amended, by the following vote:

Yeas—26

Aikin	Moore
Ashley	Parkhouse
Bell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Willis
Moffett	

Nays—5

Bracewell	Phillips
Hardeman	Weinert
Lane	

House Concurrent Resolution 29 on Second Reading

The President laid before the Senate, on its second reading, the following resolution:

H. C. R. No. 29, Pertaining to the Canadian River Bridge and its contract with the State Highway Department.

The resolution was read second time.

On motion of Senator Hazlewood, and by unanimous consent, the resolution was considered immediately and was adopted.

Adjournment

On motion of Senator Hazlewood, the Senate, at 11:00 o'clock a. m., adjourned until 10:30 o'clock a. m. tomorrow.

SIXTEENTH DAY

(Thursday, April 8, 1954)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Kazen	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Weinert
Moffett	Willis

Absent—Excused

Hazlewood	Kelley
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A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Kelley was granted leave of absence for today, on account of important business, on motion of Senator Parkhouse.